

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

COLONY INSURANCE COMPANY,

Plaintiff,

vs.

RENTECH BOILER SYSTEMS, INC.,

Defendant.

No. 1:16-CV-159-C

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has reviewed all relevant matters of record in this case, including the Report and Recommendation of the United States Magistrate Judge and Defendant Rentech Boiler Systems, Inc.'s Objections thereto. After conducting a *de novo* review, the Court finds that Defendant's Objections should be OVERRULED. In accordance with 28 U.S.C. § 636(b)(1), the undersigned Senior District Judge is of the opinion that the Report and Recommendation of the Magistrate Judge is correct and is accepted as the Findings and Conclusions of the Court.

For the reasons stated in the Report and Recommendation of the United States Magistrate Judge Plaintiff's Motion for Summary Judgment is **GRANTED** and Defendant's Motion for Summary Judgment is **DENIED**. By separate judgment, the Court declares that Colony Insurance Company owes no duty to defend Rentech Boiler Systems, Inc. against the claims in the underlying litigation or to pay any judgment or settlement entered in connection with the underlying lawsuit.

SIGNED this 21st **day of March, 2018.**



SENIOR UNITED STATES DISTRICT JUDGE